

ESTTA Tracking number: **ESTTA514125**Filing date: **01/03/2013**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Nautica Apparel, Inc.		
Entity	Corporation	Citizenship	Delaware
Address	40 West 57th Street New York, NY 10019 UNITED STATES		

Attorney information	Stephen L. Baker Baker and Rannells, PA 575 Route 28 Raritan, NJ 08869 UNITED STATES Officeactions@br-tmlaw.com, k.hnasko@br-tmlaw.com Phone:908-722-5640
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Applicant Information

Application No	85671689	Publication date	12/04/2012
Opposition Filing Date	01/03/2013	Opposition Period Ends	01/03/2013
Applicant	HÄfthne, Holger Am Kaiserkai 49, 20457 Hamburg, GERMANY		

Goods/Services Affected by Opposition

Class 014. All goods and services in the class are opposed, namely: Watch and clock springs; Watch bands and straps; Watch boxes; Watch bracelets; Watch cases; Watch chains; Watch clasps; Watch crowns; Watch faces; Watch fobs; Watch glasses; Watch movements; Watch parts; Watch pouches; Wrist watches

Grounds for Opposition


False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition


U.S. Registration No.	1553539	Application Date	06/24/1988
Registration Date	08/29/1989	Foreign Priority Date	NONE
Word Mark	NAUTICA		


Design Mark	NAUTICA
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 1987/01/05 First Use In Commerce: 1987/01/05 SPECTACLES, NAMELY EYEGLASSES AND SUNGLASSES, AND ACCESSORIES, NAMELY CASES AND STRAPS


U.S. Registration No.	1619489	Application Date	08/09/1988
Registration Date	10/30/1990	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	THE MARK COMPRISES A HIGHLY STYLIZED DESIGN OF A SAILING SHIP AND THE TERM "NAUTICA".		
Goods/Services	Class 009. First use: First Use: 1987/01/05 First Use In Commerce: 1987/01/05 SPECTACLES, NAMELY EYEGLASSES AND SUNGLASSES, AND ACCESSORIES, NAMELY CASES AND STRAPS		

U.S. Registration No.	1557527	Application Date	08/09/1988
Registration Date	09/26/1989	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1987/01/05 First Use In Commerce: 1987/01/05		

	PERFUMES AND ESSENTIAL OILS FOR PERSONAL USE		
U.S. Registration No.	1557528	Application Date	08/09/1988
Registration Date	09/26/1989	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1987/01/05 First Use In Commerce: 1987/01/05 PERFUMES [AND ESSENTIAL OILS FOR PERSONAL USE]		
U.S. Registration No.	1580007	Application Date	08/09/1988
Registration Date	01/30/1990	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 1987/01/05 First Use In Commerce: 1987/01/05 NOTEBOOKS, DESK TOP ORGANIZERS, [CALENDARS, AND PHONEBOOK COVERS] MADE OF LEATHER OR IMITATION LEATHER</p> <p>Class 018. First use: First Use: 1987/01/05 First Use In Commerce: 1987/01/05 UMBRELLAS, LUGGAGE, TRUNKS, DUFFLE BAGS, GARMENT BAGS FOR TRAVELING, TRAVEL KITS AND LEATHER BOXES IN THE NATURE OF JEWELRY BOXES</p> <p>Class 025. First use: First Use: 1987/01/05 First Use In Commerce: 1987/01/05 BELTS AND SUSPENDERS</p>		
U.S. Registration No.	1613918	Application Date	09/21/1988
Registration Date	09/18/1990	Foreign Priority Date	NONE
Word Mark	NAUTICA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1985/05/03 First Use In Commerce: 1985/05/03 MEN, WOMEN AND CHILDREN'S WEARING APPAREL, NAMELY, HOSIERY, SHOES, UNDERSHIRTS, UNDERSHORTS, SHIRTS, BLOUSES, TROUSERS, PANTS, JACKETS, COATS, SUITS, BATHING SUITS, BATHROBES, SLIPPERS, AND SHORTS

U.S. Registration No.	1597369	Application Date	09/20/1989
Registration Date	05/22/1990	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1989/07/01 First Use In Commerce: 1989/07/01 HOROLOGICAL AND CHRONOMETRIC INSTRUMENTS; NAMELY, CLOCKS AND WATCHES AND JEWELRY (IMITATION JEWELRY AND JEWELRY OF PRECIOUS METALS AND STONES), CUFF LINKS, AND TIEPINS		

U.S. Registration No.	1873011	Application Date	11/12/1991
Registration Date	01/10/1995	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			


Description of Mark	NONE
Goods/Services	Class 006. First use: First Use: 1991/01/00 First Use In Commerce: 1991/04/00 key rings, key fobs, key holders and money clips Class 014. First use: First Use: 1991/01/00 First Use In Commerce: 1991/04/00 tie clips and collar pins Class 018. First use: First Use: 1991/01/00 First Use In Commerce: 1991/04/00 wallets, hipfold wallets, trifold wallets, key cases, tie cases for travel, shoulder bags, tote bags; clutch bags, carry-on bags Class 026. First use: First Use: 1988/01/00 First Use In Commerce: 1988/09/00 buttons for clothing[]; hair accessories; namely, barrettes and hairbands]


U.S. Registration No.	1882757	Application Date	02/04/1993
Registration Date	03/07/1995	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1993/06/00 First Use In Commerce: 1993/06/00 toiletries for men, namely shaving cream and toilet soap		

U.S. Registration No.	1862585	Application Date	11/23/1993
Registration Date	11/15/1994	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1992/02/00 First Use In Commerce: 1992/02/00 footwear		

U.S. Registration No.	2246317	Application Date	09/18/1995
Registration Date	05/18/1999	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1997/12/00 First Use In Commerce: 1998/01/00 outdoor furniture; living room furniture; bedroom furniture; furniture, namely wall units; furniture tables; bookcases; and picture frames		


U.S. Registration No.	2306324	Application Date	09/18/1995
Registration Date	01/04/2000	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 021. First use: First Use: 1998/10/00 First Use In Commerce: 1999/02/01 glass and plastic beverageware; dinnerware; [coasters (not of paper or linen); paper plates; paper cups;] candlesticks not of precious metal		

U.S. Registration No.	2242969	Application Date	09/18/1995
Registration Date	05/04/1999	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 027. First use: First Use: 1998/09/00 First Use In Commerce: 1998/09/00 rugs, wall paper, and vinyl wall covering		


U.S. Registration No.	2247914	Application Date	09/18/1995
Registration Date	05/25/1999	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1997/04/00 First Use In Commerce: 1997/06/00 [table liners, table mats not of paper; place mats not of paper;] table napkins not of paper [; pot holders; oven mitts;] table cloths not of paper; kitchen towels; upholstery fabrics; and textile wall hangings		


U.S. Registration No.	2304411	Application Date	09/18/1995
Registration Date	12/28/1999	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 011. First use: First Use: 1998/10/00 First Use In Commerce: 1999/01/28 lamps		

U.S. Registration No.	2523102	Application Date	03/19/1999
Registration Date	12/25/2001	Foreign Priority Date	NONE
Word Mark	NAUTICA JEANS COMPANY		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1999/01/00 First Use In Commerce: 1999/05/00 MEN, WOMEN AND CHILDREN'S WEARING APPAREL, NAMELY, HOSIERY, SHOES, [SNEAKERS, BOOTS, MOCCASINS,] UNDERSHIRTS, BOXER SHORTS, SHIRTS, BLOUSES, TROUSERS, PANTS, JACKETS, COATS, [SUITS,] BATHING SUITS, BATHROBES, [SLIPPERS,] SHORTS, [TIES, NECKWEAR,] SCARVES, SOCKS, HATS AND CAPS, GLOVES AND [MUFFLERS,] AND FOUL WEATHER GEAR, [BELTS AND SUSPENDERS]		

U.S. Registration No.	2474154	Application Date	03/19/1999
Registration Date	07/31/2001	Foreign Priority Date	NONE
Word Mark	NAUTICA JEANS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 1999/01/00 First Use In Commerce: 1999/05/00 MEN, WOMEN AND CHILDREN'S WEARING APPAREL, NAMELY, HOSIERY, SHOES, SNEAKERS, BOOTS, MOCCASINS, UNDERSHIRTS, BOXER SHORTS, SHIRTS, BLOUSES, TROUSERS, PANTS, JACKETS, COATS, SUITS, BATHING SUITS, BATHROBES, SLIPPERS, SHORTS, TIES, NECKWEAR, SCARVES, SOCKS, HATS AND CAPS, GLOVES AND MUFFLERS, AND FOUL WEATHER GEAR, BELTS AND SUSPENDERS		

U.S. Registration No.	2697078	Application Date	12/08/2000
Registration Date	03/18/2003	Foreign Priority	NONE

		Date	
Word Mark	NAUTEX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1992/07/25 First Use In Commerce: 1992/07/25 FABRICS FOR USE IN THE MANUFACTURE OF WEARING APPAREL Class 025. First use: First Use: 1992/07/25 First Use In Commerce: 1992/07/25 JACKETS, COATS, AND FOUL WEATHER GEAR, NAMELY, RAIN AND SNOW JACKETS		

U.S. Registration No.	2731466	Application Date	02/16/2002
Registration Date	07/01/2003	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1998/08/00 First Use In Commerce: 1998/08/00 Mattress pads and bed vests		

U.S. Registration No.	3445949	Application Date	01/11/2007
Registration Date	06/10/2008	Foreign Priority Date	NONE
Word Mark	NAUTICARE		

Design Mark	NAUTICARE
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2008/02/00 First Use In Commerce: 2008/02/00 Dress shirts; Jackets; Men's suits; Neckwear; Overcoats; Pants


U.S. Registration No.	3591811	Application Date	01/11/2007
Registration Date	03/17/2009	Foreign Priority Date	NONE
Word Mark	NAUTICA OPTIONS		
Design Mark	NAUTICA OPTIONS		
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2008/01/25 First Use In Commerce: 2008/01/25 Dress shirts; Jackets; Men's suits; Neckwear; Overcoats; Pants		


U.S. Registration No.	3850360	Application Date	01/18/2007
Registration Date	09/21/2010	Foreign Priority Date	NONE
Word Mark	NAUTICA		

Design Mark	NAUTICA
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 2009/01/30 First Use In Commerce: 2009/01/30 Wet suit gloves; Wet suits; Wet suits for water-skiing and sub-aqua

U.S. Registration No.	3850361	Application Date	01/18/2007
Registration Date	09/21/2010	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark	NAUTICA		
Description of Mark	NONE		
Goods/Services	Class 028. First use: First Use: 2009/01/30 First Use In Commerce: 2009/01/30 Floating recreational lounge chairs; Floats for recreational use, namely, arm floats, foam floats, swim floats; Inflatable float mattresses or pads for recreational use; Inflatable inner tubes for aquatic recreational use; Inflatable mattresses for recreational use; Inflatable ride-on toys; Kick board flotation devices for recreational use; Paddle boards; Swim boards for recreational use; Swim fins; Swim floats for recreational use; Swimming aids, namely, pool rings, arms floats for recreational use; Trampolines Class 030. First use: First Use: 2009/01/30 First Use In Commerce: 2009/01/30 Floating islands		

U.S. Registration No.	3857163	Application Date	01/18/2007
Registration Date	10/05/2010	Foreign Priority Date	NONE
Word Mark	NAUTICA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2009/01/30 First Use In Commerce: 2009/01/30 Flotation vests; Life jackets; Life preservers; Swim goggles; Swim masks

U.S. Registration No.	3437314	Application Date	05/02/2007
Registration Date	05/27/2008	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 012. First use: First Use: 2008/01/15 First Use In Commerce: 2008/01/15 Boats; rafts; dinghies		

U.S. Registration No.	3536443	Application Date	03/06/2008
Registration Date	11/25/2008	Foreign Priority Date	NONE
Word Mark	NAUTICA		

Design Mark	NAUTICA
Description of Mark	NONE
Goods/Services	Class 024. First use: First Use: 1997/04/00 First Use In Commerce: 1997/07/00 Comforters; Bed and table linen; Bed blankets; Bed linen; Bed linen and table linen; Bed pads; Bed sheets; Bed skirts; Bed spreads; Curtains; Shower curtains; Bath towels; Beach towels; Hand towels; Towels; Washcloths; Washing mitts; Bath linen

U.S. Registration No.	3577781	Application Date	04/09/2008
Registration Date	02/17/2009	Foreign Priority Date	NONE
Word Mark	NAUTICA OCEANS		
Design Mark	NAUTICA OCEANS		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2008/12/08 First Use In Commerce: 2008/12/08 Fragrances for personal use		

U.S. Registration No.	3837562	Application Date	01/21/2010
Registration Date	08/24/2010	Foreign Priority Date	NONE
Word Mark	NAUTICA		

Design Mark	NAUTICA
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1985/05/03 First Use In Commerce: 1985/05/03 Bathing suits; Belts for clothing; Belts made from imitation leather; Blouses; Dress shirts; Dresses; Foul weather gear; Gloves; Hats; Jackets; Jeans; Men's suits; Outer jackets; Over coats; Pajamas; Pants; Rain coats; Robes; Scarves; Shirts; Shorts; Skirts; Socks; Sport coats; Sweaters; Swim trunks; Swimwear; T-shirts; Ties; Underwear; Vests

U.S. Registration No.	3865865	Application Date	02/02/2010
Registration Date	10/19/2010	Foreign Priority Date	NONE
Word Mark	PURE NAUTICA		
Design Mark	PURE NAUTICA		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2010/07/15 First Use In Commerce: 2010/07/15 Fragrances and perfumery		

U.S. Registration No.	3841455	Application Date	03/11/2010
Registration Date	08/31/2010	Foreign Priority Date	NONE
Word Mark	NAUTICA		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1987/04/22 First Use In Commerce: 1987/04/22 Retail store and on-line retail store services featuring wearing apparel, fashion accessories, home fashions, eyewear, luggage, watches and personal care products

U.S. Registration No.	3109967	Application Date	06/04/2003
Registration Date	06/27/2006	Foreign Priority Date	NONE
Word Mark	NAUTICA BEACH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2003/10/00 First Use In Commerce: 2003/10/00 Clothing, namely, men's, women's and children's bathing suits, swim trunks, swim suits, beach cover-ups, shorts, pants, woven and knitted shirts, warm-up suits, sweat shirts and pants and bathing caps		

U.S. Registration No.	3272760	Application Date	07/17/2003
Registration Date	07/31/2007	Foreign Priority Date	NONE
Word Mark	NAUTICA GOLF		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2006/01/25 First Use In Commerce: 2006/01/25 Men's, namely, shirts, tops, sweaters, jackets, pants, bottoms, hats and caps; [shorts, rainwear, trousers, outer shirts namely, polo, and sports shirts, collars]		

U.S. Registration No.	2865229	Application Date	07/29/2003
Registration Date	07/20/2004	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 028. First use: First Use: 2003/03/00 First Use In Commerce: 2003/03/00 SPORTING GOODS, NAMELY, SPORT BALLS		
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U.S. Registration No.	2865299	Application Date	08/28/2003
Registration Date	07/20/2004	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 020. First use: First Use: 1998/08/00 First Use In Commerce: 1998/08/00 Pillows		

U.S. Registration No.	2865300	Application Date	08/28/2003
Registration Date	07/20/2004	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 1998/08/00 First Use In Commerce: 1998/08/00 DUVETS, DUVET COVERS, PILLOW CASES AND PILLOW PROTECTORS		

U.S. Registration No.	2993023	Application Date	03/13/2002
Registration Date	09/06/2005	Foreign Priority Date	NONE
Word Mark	NAUTICA BLUE		
Design Mark	NAUTICA BLUE		
Description of Mark	The mark is presented in standard characters, without claim to any particular font, style, size or color		
Goods/Services	Class 025. First use: First Use: 2000/09/00 First Use In Commerce: 2000/09/00 Men's, women's and children's wearing apparel, namely, hosiery, shoes, sneaker, boots, moccasins, undershirts, boxer shirts, shirts, blouses, trousers, pants, jackets, coats, suits bathing suits, bathrobes, slippers, shorts, ties, neckwear, scarves, socks, hats and caps, gloves and mufflers, belts and suspenders and foul weather gear		

U.S. Registration No.	2987139	Application Date	03/14/2002
Registration Date	08/23/2005	Foreign Priority Date	NONE
Word Mark	NAUTICA BLUE		
Design Mark			
Description of Mark	NONE		

Goods/Services	Class 025. First use: First Use: 2000/10/00 First Use In Commerce: 2000/10/00 MEN'S, WOMEN' AND CHILDREN'S WEARING APPAREL, NAMELY, UNDERSHIRTS, T-SHIRTS, SHIRTS, BLOUSES, PANTS, SHORTS BATHING SUITS AND SWIMWEAR		
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U.S. Registration No.	3114862	Application Date	08/27/2003
Registration Date	07/11/2006	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 024. First use: First Use: 2004/06/01 First Use In Commerce: 2004/06/01 DRAPERY FABRICS; AND TEXTILE FABRICS FOR USE IN THE FIELD OF HOME FURNISHINGS		


U.S. Registration No.	3232827	Application Date	02/14/2006
Registration Date	04/24/2007	Foreign Priority Date	NONE
Word Mark	NAUTICA PERFORMANCE TRAVEL GEAR		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 018. First use: First Use: 2005/09/00 First Use In Commerce: 2005/09/00 Briefcases; Duffel bags; Garment bags for travel; Handbags; Knapsacks; Leather shopping bags; Luggage; Shopping bags with wheels attached; Suitcases; Textile shopping bags; Trunks; Wallets		


U.S. Registration No.	3232846	Application Date	02/28/2006
Registration Date	04/24/2007	Foreign Priority Date	NONE
Word Mark	NAUTICA		

Design Mark	NAUTICA
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1987/04/22 First Use In Commerce: 1987/04/22 Retail store services in the field of wearing apparel, fashion accessories, home fashions, eyewear, luggage and personal care products

U.S. Registration No.	3233030	Application Date	05/17/2006
Registration Date	04/24/2007	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark	NAUTICA		
Description of Mark	NONE		
Goods/Services	Class 014. First use: First Use: 1989/07/01 First Use In Commerce: 1989/07/01 Watches		

U.S. Registration No.	3888149	Application Date	06/20/2006
Registration Date	12/07/2010	Foreign Priority Date	NONE
Word Mark	NAUTICA ISLAND		

Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2008/06/00 First Use In Commerce: 2008/06/00 Blazers; Caps; Coats; Hats; Jackets; Pants; Shirts; Shorts; Sweaters; Swimsuits; T-shirts		

U.S. Registration No.	3447065	Application Date	08/30/2006
Registration Date	06/10/2008	Foreign Priority Date	NONE
Word Mark	NAUTICA BERMUDA BLUE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 2008/02/15 First Use In Commerce: 2008/02/15 Body spray used as a personal deodorant and as fragrance; Perfumery		

U.S. Registration No.	3076794	Application Date	04/21/2005
Registration Date	04/04/2006	Foreign Priority Date	NONE
Word Mark	NAUTICA COMPETITION		

Design Mark	NAUTICA COMPETITION
Description of Mark	NONE
Goods/Services	Class 018. First use: First Use: 1996/10/00 First Use In Commerce: 1996/10/00 luggage, carry-on bags garment bags for travel, duffle bags, shoulder bags, tote bags, clutch bags, wallets and key cases


U.S. Registration No.	3076597	Application Date	04/12/2005
Registration Date	04/04/2006	Foreign Priority Date	NONE
Word Mark	NAUTICA COMPETITION		
Design Mark	NAUTICA COMPETITION		
Description of Mark	NONE		
Goods/Services	Class 003. First use: First Use: 1997/05/00 First Use In Commerce: 1997/05/00 cosmetics and toiletries for men and women, namely, colognes, skin cleansers, skin toners, cosmetic skin creams and lotions, shaving cream, after-shave lotion, after-shave cream, toilet soap, talcum powder, bath oil, personal deodorants, shampoo and conditioner		


U.S. Registration No.	3076796	Application Date	04/21/2005
Registration Date	04/04/2006	Foreign Priority Date	NONE
Word Mark	NAUTICA COMPETITION		

Design Mark	NAUTICA COMPETITION
Description of Mark	NONE
Goods/Services	Class 025. First use: First Use: 1996/04/00 First Use In Commerce: 1996/04/00 men's, women's and children's wearing apparel, namely, shoes, sneakers, boots, undershirts, shirts, pants, jackets, coats, bathing suits, bathrobes, pajamas, slippers, shorts, ties, socks, hats, caps, gloves and foul weather gear

U.S. Registration No.	3114379	Application Date	12/01/2005
Registration Date	07/11/2006	Foreign Priority Date	NONE
Word Mark	NAUTICA		
Design Mark	NAUTICA		
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1991/01/01 First Use In Commerce: 1991/01/01 Financial sponsorship of sporting events, tournaments, competitions and contests Class 041. First use: First Use: 1991/01/01 First Use In Commerce: 1991/01/01 Organizing and operating sporting events, tournaments, competitions and contests		

U.S. Registration No.	3165354	Application Date	04/26/2006
Registration Date	10/31/2006	Foreign Priority Date	NONE
Word Mark	NAUTICAKIDS		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 027. First use: First Use: 2005/08/00 First Use In Commerce: 2005/08/00 Wallpaper; Wallpaper in the nature of roomsize decorative adhesive wall coverings

U.S. Registration No.	3168753	Application Date	02/07/2006
Registration Date	11/07/2006	Foreign Priority Date	NONE
Word Mark	NAUTICAKIDS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 025. First use: First Use: 2004/05/00 First Use In Commerce: 2004/05/00 Coats; Dresses; Footwear; Gloves; Headwear; Jackets; Jeans; Pajamas; Pants; Raincoats; Robes; Scarves; Shirts; Shorts; Skirts; Sweaters; Swimsuits; T-shirts; Trousers; Underwear; Vests		

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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Stephen L. Baker/
Name	Stephen L. Baker
Date	01/03/2013

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

NAUTICA APPAREL, INC.,

Opp. No. _____

Opposer,

Mark: NAUTEC

v.

Serial No. 85671689

HOLGER HÖHNE,

Filed: July 9, 2012

Applicant.

**NOTICE OF OPPOSITION
PURSUANT TO 15 U.S.C. § 1063**

Opposer, Nautica Apparel, Inc., by its attorneys Baker and Rannells, PA, alleges on knowledge as to its own acts and otherwise on information and belief and as grounds for opposition as follows:

1. Opposer believes that allowing Application Serial No. 85671689 to proceed to registration will cause Opposer damage.
2. Opposer, Nautica Apparel, Inc., is a corporation organized and existing under the laws of the State of Delaware, doing business at 40 West 57th Street, New York, NY 10019.
3. Applicant, Holger Höhne, (“Applicant”) is an individual residing at Am Kaiserkai 49, 20457 Hamburg, Germany.
4. On December 4, 2012, Applicant filed an Application, namely Serial No. 85671689 for the mark NAUTEC (“Applicant’s Mark”), as a trademark for “Watch and clock springs; Watch bands and straps; Watch boxes; Watch bracelets; Watch cases; Watch chains; Watch clasps; Watch crowns; Watch faces; Watch fobs; Watch glasses;

Watch movements; Watch parts; Watch pouches; Wrist watches” in international Class 14 (“Applicant’s Goods”), which was published for opposition in the Official Gazette on December 4, 2012. The time to oppose having been extended.

5. Opposer is the owner of numerous trademarks in a variety and constantly expanding number of classes including the NAUTICA marks, marks that contain the word NAUTICA, and marks that contain the letters NAUT and variations thereof (“Opposer’s Marks”) as trademarks, trade names, and as service marks. Examples of Opposer’s Marks are as follows:

Serial Number	Reg. Number	Mark
85649338		NAUTICA RAINBREAKER
85602483		NAUTICA SPORTS TECH
78668277	3170094	NAUTICA VOYAGE
78647283	3170055	NAUTICA BLUE
78868779	3165353	NAUTICAKIDS
78868759	3165352	NAUTICAKIDS
78868734	3165351	NAUTICAKIDS
78858780	3165348	NAUTICAKIDS
78809150	3168753	NAUTICAKIDS
78869724	3165354	NAUTICAKIDS
78764381	3114379	NAUTICA
78614003	3076796	NAUTICA COMPETITION
78606800	3076597	NAUTICA COMPETITION
78613836	3076794	NAUTICA COMPETITION
78963691	3447065	NAUTICA BERMUDA BLUE
78912365	3888149	NAUTICA ISLAND
78885472	3233030	NAUTICA
78825489	3232846	NAUTICA
78814361	3232827	NAUTICA PERFORMANCE TRAVEL GEAR
78292765	3114862	NAUTICA
78114981	2987139	NAUTICA BLUE
78114601	2993023	NAUTICA BLUE
78293506	2865300	NAUTICA

78293501	2865299	NAUTICA
78280401	2865229	NAUTICA
78275303	3272760	NAUTICA GOLF
78258096	3109967	NAUTICA BEACH
77956846	3841455	NAUTICA
77925569	3865865	PURE NAUTICA
77916492	3837562	NAUTICA
77444022	3577781	NAUTICA OCEANS
77414495	3536443	NAUTICA
77171078	3437314	NAUTICA
77085787	3857163	NAUTICA
77085766	3850361	NAUTICA
77085720	3850360	NAUTICA
77081234	3591811	NAUTICA OPTIONS
77081223	3445949	NAUTICARE
76371274	2731466	NAUTICA
76177936	2697078	NAUTEX
75664161	2474154	NAUTICA JEANS
75663915	2523102	NAUTICA JEANS COMPANY
74730271	2304411	NAUTICA
74730054	2247914	NAUTICA
74730053	2242969	NAUTICA
74730052	2306324	NAUTICA
74730051	2246317	NAUTICA
74462464	1862585	NAUTICA
74355511	1882757	NAUTICA
74220315	1873011	NAUTICA
73826633	1597369	NAUTICA
73753227	1613918	NAUTICA
73745061	1580007	NAUTICA
73745058	1557528	NAUTICA
73745057	1557527	NAUTICA
73745055	1619489	NAUTICA
73737613	1553539	NAUTICA

Hereinafter the goods and services recited in Opposer's Marks and registrations are referred to collectively as "Opposer's Goods and Services".

8. Opposer's Goods and Services have been widely advertised, offered for sale and sold throughout the United States under Opposer's Marks and Opposer's Marks are famous.

6. Opposer is now and has been for many years trading as and known by Opposer's Marks, identifying Opposer as the source of high quality apparel, fragrance products, watches, accessories and other goods and services.

7. Applicant's Goods are identical or substantially similar to Opposer's Goods and Services and/or are within Opposer's ever expanding natural progression of goods and services and channels of trade.

8. Opposer is now and has been, for many years prior to any date which may be claimed by Applicant, engaged in the use of Opposer's Marks for Opposer's Goods and Services.

9. Opposer is now and has been, for many years prior to any date which may be claimed by Applicant, engaged in the sale of high quality apparel, fragrance products, watches, accessories and other goods and services under Opposer's Marks.

10. Since long prior to any date which may be claimed by Applicant, Opposer on its own behalf has been, and is now engaged in the sale of high quality apparel, fragrance products, watches, accessories and other goods and services under Opposer's Marks in interstate commerce.

11. The use by Opposer of Opposer's Marks for Opposer's Goods and Services alleged herein, is long prior to any date which may be lawfully claimed by Applicant, and Opposer has priority.

12. Applicant intends to distribute and/or to provide Applicant's Goods through the same channels of trade as Opposer and as a result, Applicant is now, or will be, directing its respective goods and services to the same ultimate consumer as Opposer.

13. Opposer's Marks and Applicant's Mark are confusingly similar when applied to the goods of the parties.

14. The goods and services of Applicant and Opposer are identical or substantially similar to Opposer's or within Opposer's ever expanding natural progression of goods and services and channels of trade and Applicant's intended use of Applicant's Mark in connection with such goods and services is without the consent or permission of Opposer.

15. Since Opposer owns Opposer's Marks by virtue of prior use, confusion, mistake or deception as to the source of origin of the goods will arise and will injure and damage the Opposer and its goodwill.

16. As a result of Opposer's long use, extensive advertising and promotion, and successful sales for at least 20 years, Opposer's Marks have become distinctive and famous, long prior to any date which may be claimed by Applicant.

17. The registration of Applicant's Mark to Applicant will cause the relevant purchasing public to erroneously assume and thus be confused, misled, or deceived, that Applicant's Goods are made by, licensed by, controlled by, sponsored by, or in some way connected, related or associated with Opposer, in violation of Section 2(d) of the Lanham Act, 15 U.S.C. § 1052(d), all to Opposer's irreparable damage.

18. The association which would arise from the similarity between Applicant's Mark and Opposer's famous Marks will harm the reputation of Opposer and Opposer's famous Marks thereby resulting in dilution by tarnishment in violation of

Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c). There is an overwhelming likelihood that this association will impugn Opposer's Goods and Services and injure its business reputation.

19. The association which would arise from the similarity between Applicant's Mark and Opposer's famous Marks will impair the distinctiveness of Opposer's famous Marks and thereby result in dilution by blurring in violation of Section 43(c) of the Lanham Act, 15 U.S.C. §1125(c). There is an overwhelming likelihood that this association will impugn Opposer's Goods and Services and injure its business reputation.

20. Applicant's Mark falsely suggests a connection with Opposer, and/or will bring Opposer into contempt or disrepute, in violation of §2(a) of the Lanham Act, 15 U.S.C. §1052(a), all to Opposer's irreparable damage.

21. Applicant's use of Applicant's Mark points uniquely and unmistakably to Opposer.

22. Consumers that encounter Applicant's Mark will recognize Applicant's Mark as pointing uniquely and unmistakably to Opposer.

23. Issuance of registration for Applicant's Mark to Applicant would create a false and misleading connection to Opposer all to the irreparable damage of consumers and Opposer.

24. Issuance of registration for Applicant's Mark to Applicant would create a cloud on Opposer's rights to use Opposer's Marks for Opposer's Goods and Services.

WHEREFORE, Opposer prays that the application for registration of Applicant's Mark, Serial No. 85671689 be denied and that this Opposition be sustained.

Dated: January 3, 2013

Respectfully submitted for
Opposer Nautica Apparel, Inc.

By: / Neil B. Friedman /
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Opposer's Notice of Opposition was forwarded by first class postage prepaid mail by depositing the same with the U.S. Postal Service on this 3rd day of January, 2013 to Applicant at the following address:

Holger Höhne
Am Kaiserkai 49
20457 Hamburg, Germany

/Neil B. Friedman/
Neil B. Friedman